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**City of Santa Clara
PLANNING COMMISSION
Wednesday, January 7, 2009
7:00 P.M.
CITY COUNCIL CHAMBERS
MINUTES**

Please refer to the Planning Commission Procedural Items coversheet for information on all procedural matters.

REGULAR ITEMS – 7:00 p.m.

1. PLEDGE OF ALLEGIANCE and INVOCATION

Chairperson Fitch initiated the Pledge of Allegiance, and the Invocation was read.

2. ROLL CALL

The following Commissioners responded to roll call: Chairperson Todd Fitch, Vice-Chairperson Teresa O'Neill, Commissioners Keith Stattenfield, Frank Barcells, Robert Mayer, and Ian Champeny. Commissioner Marine was excused.

Staff present were Development Review Officer Gloria Sciara, Assistant City Attorney Julia Hill, and Office Specialist IV Susan Landers.

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Ms. Sciara said that copies of current agendas and staff reports for each of the items on the agenda are available from the Planning Division Office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing.

4. DECLARATION OF COMMISSION PROCEDURES

Chairperson Fitch reviewed Planning Commission procedures for those present.

5. REQUESTS FOR EXCEPTIONS, WITHDRAWALS AND CONTINUANCES

A) Withdrawals – None

B) Continuances without a hearing - None

C) Exceptions (requests for agenda items to be taken out of order) - None

6. ITEMS FOR COUNCIL ACTION

The following items from this Planning Commission agenda are recommendations to the City Council and will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items may be heard concurrently with or subsequent to the Council review of these minutes. Please contact the Planning Division office for information on the schedule of hearings for these items:

None

7. ORAL PETITIONS/ ANNOUNCEMENTS AND COMMUNICATIONS

None

8. CONSENT CALENDAR

Commissioner Mayer pulled Item 8.B. off the Consent Calendar. Commissioner Champeny made a motion to approve Consent Calendar Item 8.A., seconded by Commissioner Stattenfield, and the motion was approved unanimously.

Routine Items/Consent Calendar

8.A. The Planning Commission Minutes of December 10, 2008, were approved as submitted.

Public Hearing Items/Consent Calendar

8.B. File: **PLN2008-07213**
Location: 2440 Benton Street, a 6,100 square foot lot located at the southwest corner of Benton Street and Blackfield Drive (APN 290-32-007).
Property is zoned R1-6L (Single Family Residential).
Applicant/Owner: Daniel Da Rosa
Request: **Variance** to allow a fence to exceed three feet in height in the required front yard.
Project Planner: Bridgette Carroll, As-needed Planner

Summary of Discussion

Commissioner Mayer raised the issue of whether a curb cut would be required, as the applicant indicated in his letter of justification that his motor home might be parked behind the fence. The applicant was unable to attend the meeting due to a family medical emergency, but his cousin, Liz Kashishian, speaking on his behalf, said she did not think a curb cut requirement would be a problem. Ms. Sciara said, should the applicant wish to store his motor home behind the fence, Traffic Engineering personnel would review the site lines and let him know what would be permissible. She said an angle might have to be cut or a certain amount reduced in the driveway to ensure pedestrian safety when backing the vehicle out of the driveway. There was additional discussion regarding this issue.

There was no public comment, and the public hearing was closed.

Chairperson Fitch said if the Commission approved the variance and added a condition related to the parking of the motor home behind the fence, and if Traffic Engineering required a curb cut or other measure, he would like to minimize the burden on the applicant of having to return to the Commission. Ms. Sciara said she felt this issue could be handled at Staff level. She added the applicant could choose whether to store the motor home behind the fence, if it turned out that modifications of the fence would be needed.

Action

Commissioner Barcells moved to approve the variance, subject to conditions, with the added condition that Traffic Engineering would provide any requirements relating to a vehicle parked behind the fence. Commissioner O'Neill seconded the motion. Commissioner Mayer proposed to amend the motion as follows: that if the applicant chooses to park a vehicle inside the fenced area, that a City-approved curb cut be required as well as review and approval by the City's Traffic Engineer to determine if the fence location and height need to be altered to meet their requirements (new Condition 6). Commissioners Barcells and O'Neill agreed to the amendment to the motion, and the motion was approved unanimously.

*******End of Consent Calendar*******

9. File: **PLN2008-06928**
Location: 4600 Patrick Henry Drive, a 2.86 acre lot, located on the west side of Patrick Henry Drive, approximately 1,100 feet south of Democracy Way (APN 104-04-122). Property is zoned ML (Light Industrial).
Applicant: Sim Architects, Inc. for Great Exchange Covenant Church
Owner: 4600 Patrick Henry, LLC
Request: **Certification of Mitigated Negative Declaration; and Use Permit** to allow the establishment of a church operation and conversion of an approximately 50,000 square foot existing building

located in the Light Industrial zone to accommodate a membership of up to 1,600 persons (800 person maximum per service) as part of the phasing and long term growth plan.

Project Planner:

Judith Silva, Associate Planner

Summary of Discussion

Ms. Sciara said there had been discussion at the October 8th Planning Commission public hearing about traffic and parking concerns as well as a shelter in place plan. The applicant was directed by the Commission to look into these issues further, and the applicant has continued discussion with Staff; however, Staff has yet not received the information necessary to complete the environmental review. She said the applicant is asking for up to 90 days to facilitate additional internal discussion and allow them more time to decide how to proceed.

Kenneth Leung spoke on behalf of the Great Exchange Covenant Church. He said they agreed with the continuance of up to 90 days to allow them to work with their consultant and Staff on the information required by the Commission.

The public hearing was closed.

Action

Commission Stattenfield moved to accept Staff's recommendation to continue this item for an additional 90 days, seconded by Commissioner Champeny. The motion was approved unanimously.

10. Request: Amend Adopted Planning Commission Meeting Calendar with additional meeting date of March 25, 2009

Summary of Discussion

Ms. Sciara said the Augustine Bowers Research & Development project draft environmental impact report had recently been recirculated, and the project should be coming forward to the Commission on March 25. The public hearing on a project at the former Kaiser Hospital site might be held on March 11 and would be the only item on that agenda.

Action

Commissioner Champeny moved to amend the Planning Commission meeting calendar, with the additional meeting date of March 25, 2009, seconded by Commissioner Stattenfield. The motion was approved unanimously.

11. OTHER BUSINESS

A. Commission Procedures and Staff Communications

- i. Announcements/Other Items – None
- ii. Report of the Director of Planning and Inspection
 - City Council Actions – Ms. Sciara reported on the December 9th meeting.
 - Commission/Board Liaison and Committee Report - None
 - Commission/Committee Assignments - Assignments are reflected in the next three bulletpoint items.
 - Architectural Committee: Commissioners Stattenfield and Mayer (Barcells alternate) – No report
 - Station Area Plan: Commissioner Champeny – No report
 - General Plan sub-Committee: Commissioners Fitch and O'Neill (Champeny alternate) – No report
- iii. Commission Procedures
 - Planning Procedures
 - Work plan items


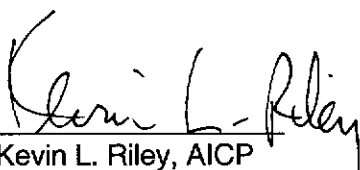
- Commissioner Travel and Training reports
- iv. Upcoming agenda items

12. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

Respectfully submitted:


Susan Landers
Office Specialist IV

Approved:  Approved: 
Gloria Sciara, AICP
Development Review Officer

Kevin L. Riley, AICP
Director of Planning & Inspection

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